

**HOUSE RESOLUTION URGING RESTORATIVE JUSTICE  
IN UTAH'S EDUCATION SYSTEM**

2017 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Sandra Hollins**

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**LONG TITLE**

**General Description:**

This resolution of the House of Representatives encourages the Utah State Board of Education and Utah's school districts to implement restorative justice programs in Utah's public primary and secondary schools.

**Highlighted Provisions:**

This resolution:

▶ encourages the Utah State Board of Education and Utah's school districts to implement restorative justice programs in Utah's public primary and secondary schools as a way to help Utah's students stay in school and deal with their challenges in a healthier and more constructive way; and

▶ encourages the Utah State Board of Education and Utah's school districts to implement restorative justice programs in Utah's public primary and secondary schools as a means to help school districts better manage their student disciplinary issues.

**Special Clauses:**

None

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*Be it resolved by the House of Representatives of the state of Utah:*

WHEREAS, the pressure to do well in school and to comply with the expectations of parents and teachers can create great challenges and increased stress in a student's life;

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28 WHEREAS, the necessity and challenge of forging meaningful friendships can add to  
29 the difficulties students face;

30 WHEREAS, a student's struggles can be further aggravated by the death of a parent, a  
31 divorce, abuse, or other traumatic circumstances and can sometimes lead to misbehavior in  
32 school;

33 WHEREAS, suspension and expulsion, traditional methods of addressing disciplinary  
34 issues in primary and secondary schools, punish misbehavior but fail to address its underlying  
35 causes;

36 WHEREAS, restorative justice is an innovative approach to offensive and inappropriate  
37 behavior that addresses the root causes of the behavior issues;

38 WHEREAS, restorative justice has been used extensively both as a means to divert  
39 people from criminal justice systems and as a program for convicted offenders already in the  
40 adult or juvenile justice systems;

41 WHEREAS, restorative justice, in a school setting, shifts the emphasis from managing  
42 behavior to focusing on the building, nurturing, and repairing of relationships while retaining  
43 the ability to hold misbehaving students accountable;

44 WHEREAS, in the school setting, restorative justice often serves as an alternative to  
45 traditional discipline such as suspension, expulsion, and referral to police;

46 WHEREAS, restorative justice is a nonpunitive approach to handling a wide range of  
47 conflict;

48 WHEREAS, restorative justice brings together the offender and the harmed parties into  
49 settings called conferences or circles, in company with a teacher or administrator and other  
50 students;

51 WHEREAS, in these circles, participants involved in or impacted by the harmful  
52 actions, including the victim and the offender, talk about the harm caused and what can be  
53 done to make things right;

54 WHEREAS, in a typical circle, a teacher or mediator asks nonjudgmental, restorative  
55 questions like, "What happened? How did it happen? What can we do to make it right?" and  
56 the students develop a plan of action;

57 WHEREAS, restorative justice puts repairing harm done to relationships and people  
58 above the need for assigning blame and dispensing punishment, without minimizing the harm

59 caused by misbehavior;

60 WHEREAS, restorative justice represents a shift in how discipline is applied, which  
61 increases student perceptions about fairness of educator actions, leading to greater compliance  
62 as students see the school order as having legitimacy;

63 WHEREAS, the success of restorative justice programs in schools across the United  
64 States suggests that a strict focus on "paying the offender back" can leave the victim without  
65 closure or fail to bring resolution to the harmful situation;

66 WHEREAS, multiple empirical studies reveal a decrease in harmful behavior after  
67 implementing some type of restorative justice program;

68 WHEREAS, one program manager of restorative justice for a school district has said,  
69 "Restorative Justice addresses the harm caused by the offense and the harm revealed by the  
70 offense. When you get these kids talking you learn about the traumas they have faced. Maybe  
71 their brother was killed or their father was sent to prison. If you can get to the root of the cause  
72 of the offense, you're truly stopping the cycle";

73 WHEREAS, Utah's students and its schools can benefit from a restorative justice  
74 program; and

75 WHEREAS, restorative justice can help Utah's school children to successfully navigate  
76 the challenges of life and learning and provide them tools that will help them assume the  
77 responsibilities of adulthood:

78 NOW, THEREFORE, BE IT RESOLVED that the House of Representatives of the  
79 state of Utah encourages the Utah State Board of Education and Utah's school districts to  
80 implement restorative justice programs in Utah's public primary and secondary schools as a  
81 way to help Utah's students stay in school and deal with their challenges in a healthier and  
82 more constructive way.

83 BE IT FURTHER RESOLVED that the House of Representatives of the state of Utah  
84 encourages the Utah State Board of Education and Utah's school districts to implement  
85 restorative justice programs in Utah's public primary and secondary schools as a means to help  
86 school districts better manage their student disciplinary issues.

87 BE IT FURTHER RESOLVED that a copy of this resolution be sent to each of Utah's  
88 school districts and to the Utah State Board of Education.

**Legislative Review Note**  
**Office of Legislative Research and General Counsel**